

REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed June 12, 2007. Claims 8, 16, and 18 were objected to. Claims 1-18 were rejected. The claims have been amended to address the concerns raised by the Examiner.

Claims 1-18 were originally presented. Claims 1-18 remain in the application. Claims 8, 16 and 18 have been amended.

Claim Objections

Changes have been made to claims 8, 16, and 18 responsive to the examiner's objections.

Claim Rejections -- 35 U.S.C. § 101

Changes have been made to claim 18 responsive to the examiner's rejection under 35 U.S.C. § 101.

Claim Rejections - 35 U.S.C. § 102

Claims 1-4, 6, 9-11, 13, 16 and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Yeung (US Pat No 6426798).

In order to most succinctly explain why the claims presented herein are allowable, Applicant will direct the following remarks primarily to the originally presented independent claim 1 with the understanding that once an independent claim is allowable, all claims depending therefrom are allowable.

The Yeung reference discloses a computer that creates a data structure for a communications layer which is populated with printer specific data using XML to enable a printer driver to communicate with any defined printer. (See Yeung's Summary, col. 2, lines 22-56 and col. 2, lines 9-40) In other words, the "universal printer description file . . . is then disposed within a memory area for access and processing by a printer driver . . . to interface with the specific printer" (see col. 2, lines 40-43). Populating a data structure from the universal printer description file determines the specific communication format and allows the printer driver to communicate with the printer.

In contrast, the present invention claims that the printer itself makes a determination of the attributes supported by the printer and this results in the dynamic creation of a customized **user interface** (or web page) that is sent to the client printer driver for use by an end user in controlling printer configuration. Creating a customized end user interface is significantly different than configuring an underlying printer network communications layer as in Yeung.

Specifically, Applicant's independent claim 1 includes "identifying markup language code associated with the configuration attributes supported by the printing device." The prior art of Yeung does not identify markup language code that is associated with configuration attributes because Yeung is merely setting up a data structure to enable machine level communication between the printer driver and printer (See Yeung Summary.) Yeung is not concerned with and does not disclose or suggest creating a dynamically customized printer interface for an end user as claimed.

Claim 1 also sets forth "transmitting the markup language code that is associated with the configuration attributes supported by the printing device, from the printing device to the requesting device." In support of this claim, the specification reads "at run-time, a program **in the printing device** determines which markup language code corresponds to configuration attributes supported by the device" (see page 3, lines 27-29). The claimed system and method is not taught in any of the cited references. Due to the patentably distinct differences described above, claim 1 should be allowed.

Regarding claim 2, the Yeung reference discloses a flow termination of printer attribute configuration when a single error in validity occurs (FIG. 6 S603, and col. 11 lines 9-11). In contrast, Applicant's claim 2 sets forth "excluding markup language code that is associated with configuration attributes not supported by the printing device." This claimed exclusion of markup language code is not taught in any of the cited references, and provides the advantage of the printer itself creating a user interface based on supported configuration attributes.

Regarding claim 9, the Yeung reference discloses that the printing device's attributes are displayed by a printer driver (see col. 11, lines 18-24), which driver resides on the querying computer (see FIG. 2 item 114 within computing equipment 40). In contrast, Applicant's claim 9 sets forth "generating a device configuration interface to display the printing device's

configuration attributes”. This feature is not taught in any of the cited references, and provides the advantage that the printer can function to create an interface for the configuration attributes. In contrast, the passage of Yeung cited by the Office Action merely enables or disables options that are pre-compiled into the printer driver.

Regarding claim 11, the Yeung reference discloses that EEPROM or ROM are merely a store for the universal printer data file (see col. 10, lines 36-41). In contrast, Applicant’s claim 11 element two sets forth “an embedded application . . . configured to make a run-time determination of which markup language code corresponds to supported configuration attributes of the printing device.” It is well known in the art that off-the-shelf EEPROM and ROM devices do not perform application specific logic functions required of an embedded application as Applicant discloses.

Applicant will direct the following remarks primarily to the originally presented independent claim 16 with the understanding that once an independent claim is allowable, all dependent claims depending are allowable. The Yeung reference discloses a computer that creates a data structure for a communications layer which is populated with printer specific data using XML to enable a printer driver to communicate with any defined printer.

In contrast, Applicant’s claim 16 sets forth “an embedded application . . . is for making a run-time determination of which markup language code corresponds to the configuration attributes supported by the printing means.” Yeung therefore does not anticipate each and every element of independent claim 16, since it does not disclose determination of printer attributes at the printing device itself.

Regarding independent claim 18, Yeung discloses the determination of valid attributes in the files is done at the requesting or querying computer (see Yeung col. 11, lines 3-11). In contrast, Applicant sets forth “computer readable program code for transmitting the markup language code that is associated with the configuration attributes supported by the printing device.” This stand-alone feature is not taught in any of the cited references, and provides the advantage of the printer functioning as a stand-alone unit for displaying configuration attributes. The Yeung reference fails to show such a feature.

A claim is anticipated only if each and every element as set forth in the claim is found,

either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Therefore, Applicant respectfully submits that claims 1-4, 6, 9-11, 13, 16 and 18 are allowable, and urges the Examiner to withdraw the rejection.

Claim Rejections - 35 U.S.C. § 103

Claims 5, 7, 8, 12, 14, and 17 were rejected under 35 U.S.C. § 103 as being unpatentable over Yeung 6426798 in view of Hansen 7185014.

The Yeung and Hansen references, when combined, do not teach or suggest all of the elements of claim 5. Applicant's claim 5 sets forth "parsing an XML tree . . . and using the XML tree to create an HTML page that displays the printing device's configuration attributes." In contrast, the Yeung reference does not teach using XML to create an HTML page that displays the printing device's configuration attributes. The Hansen reference does not overcome that deficiency. Yeung merely suggests a fixed user interface where controls are either enabled or disabled which allows a user to select settings for finishing operations (see col. 11, lines 18-24). The Hansen reference merely discloses that any computer language may be used for commands, and documents may be kept in any format (see col. 8, lines 14-17).

M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and **the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.** *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

There is no motivation to combine the fixed user interface of Yeung, and the generic language of Hansen. The Office Action has asserted that it would be obvious to one of skill in

the art to analyze the DTD file and create an HTML page displaying printing device's configuration attributes, but has cited no basis for that assertion.

Regarding claim 7, Applicant sets forth "receiving a request for a printing device's configuration . . . from a network browser into the printing device's embedded web server". In contrast, Yeung fails to teach an embedded web server. The Hansen reference does not overcome that deficiency. Hansen teaches web server software for receiving a request but not a web server embedded in a printer. An HTML web page originates on Applicant's web server in the printing device and not from the Internet as in Hansen.

Applicant's disclosure solves the problem of displaying configuration attributes through an dynamically created display originating at the printing device itself as a stand-alone device. The Office Action has asserted that it would be obvious to one of skill in the art to allow web server software to communicate with other devices over the network. However, there is no basis for the assertion that Applicant claims to communicate with other devices over the network in order to generate a web page.

Claim 8 is allowable once independent claim 1 and claim 7 are allowed having depended therefrom. Also claims 12 and 14 are allowable depending on independent claim 11. Claim 17 is allowable depending on independent claim 16. Therefore, Applicant respectfully submits that claims 5, 7, 8, 12, 14, and 17 are allowable, and urges the Examiner to withdraw the rejection.

CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 1 through 18 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Steve Perry at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 08-2025.

DATED this 12th day of September 2007.

Respectfully submitted,

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